



Takoma Park City Council Meeting – December 9, 2020 Agenda Item 4

Voting Session

Resolution Authorizing the Extension of Emergency Regulations Concerning Noxious Growths, Undesirable Trees, and Fees

Recommended Council Action

Approve Resolution

Context with Key Issues

Ordinance 2020-22, effective October 27, 2020, amended certain provisions of Chapter 12 of the City Code of Takoma Park regarding trees and vegetation. With City elections affecting the City Council meeting schedule, it was necessary for the City Manager to approve interim regulations on an emergency basis pursuant to Section 2.12.100(B) of the City Code, so that regulations were in place while draft administrative regulations were going through the public notice process. The process of considering comments on draft administrative regulations requires publication in the Takoma Park Newsletter soliciting such comments, review of the comments, publication of final regulations in the Newsletter and then, ten days after publication, the regulations become effective. This process could not be completed within the 60 days allowed under Section 2.12.100(B). The City Manager is requesting that the City Council extend the interim regulations for 30 additional days while the administrative regulation process concludes.

Council Priority

Livable Community For All
Environmentally Sustainable Community
Engaged, Responsive, Service-oriented Government

Environmental Considerations

N/A

Fiscal Considerations

The interim regulations include the fees for tree-related actions.

Racial Equity Considerations

N/A

Attachments and Links

- Draft Resolution
- City Manager Email to Council

1 Introduced by:
2

3 **CITY OF TAKOMA PARK, MARYLAND**

4
5 **RESOLUTION 2020-___**
6

7 **Authorizing the Extension of Emergency Regulations**
8 **Concerning Chapter 12 of the City of Takoma Park Code**
9 **Relating to Noxious Growths, Undesirable Trees, and**
10 **Fees.**

11
12 **WHEREAS,** Ordinance 2020-22, effective October 27, 2020, amended certain provisions of
13 Chapter 12 of the City of Takoma Park’s Code; and
14

15 **WHEREAS,** the amendments to Chapter 12 require that certain administrative regulations be
16 established; and
17

18 **WHEREAS,** pursuant to section 2.12.100(B), the City Manager approved on an emergency basis
19 two regulations relating to noxious growths, undesirable trees, and fees in order to
20 have the regulations in effect while the proposed regulations in question went
21 through the comment and notification process required by the City Code; and
22

23 **WHEREAS,** the emergency regulations went into effect on October 28, 2020, and will remain in
24 effect for a period of sixty days; and
25

26 **WHEREAS,** additional time is required to complete the regulation process set forth in section
27 2.12.050; and
28

29 **WHEREAS,** several provisions of Chapter 12 that expressly reference administrative regulations
30 will be without effect if the effective period of the emergency regulations is not
31 extended beyond sixty (60) days; and
32

33 **WHEREAS,** the City Manager is empowered to request that the Council extend the emergency
34 regulations pursuant to section 2.12.100(C), the City Manager has made that
35 request, and submitted a written statement of the reasons for the extension request.
36

37 **NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF**
38 **TAKOMA PARK THAT,** pursuant to section 2.12.100(C), the effective period of the emergency
39 regulations related to noxious growths, undesirable trees, and fees, shall be extended for thirty (30)
40 days beyond their current expiration date, unless modified, rescinded, or otherwise superseded.
41

42
43 **THIS RESOLUTION, WHICH IS EFFECTIVE IMMEDIATELY, IS ADOPTED BY THE**
44 **COUNCIL OF THE CITY OF TAKOMA PARK, MARYLAND, THIS 9th DAY OF**
45 **DECEMBER 2020, BY ROLL-CALL VOTE AS FOLLOWS:**
46

- 1 AYE:
- 2 NAY:
- 3 ABSTAIN:
- 4



Jessie Carpenter <jessiec@takomaparkmd.gov>

Extension of interim tree regulations

1 message

Suzanne Ludlow <suzannel@takomaparkmd.gov>

Wed, Dec 9, 2020 at 2:56 PM

To: City Council <Council@takomaparkmd.gov>

Cc: Daryl Braithwaite <DarylB@takomaparkmd.gov>, Jessica Clarke <jessicac@takomaparkmd.gov>, Jessie Carpenter <jessiec@takomaparkmd.gov>, Marty Frye <martyf@takomaparkmd.gov>, Skip Cornbrooks <scornbrooks@bkcklaw.com>

Dear Councilmembers,

As you know, we have been going through the draft administrative regulation process related to tree-related fees and noxious growth regulations. While that has been happening, I had adopted the regulations as interim regulations so that we could have regulations that worked with the revised Tree Ordinance. The timing of publishing the draft regulations in the Newsletter to solicit public comments meant that the draft regulation process could not be finalized within 60 days and another 30 days is needed. I am required to provide a written request for an extension; a draft Resolution for that 30 day extension has been added to tonight's Council agenda. The text of the notice is below and a copy of the draft resolution is attached.

Thank you,

Suzanne

Ordinance 2020-22, effective October 27, 2020, amended certain provisions of Chapter 12 of the City of Takoma Park's Code.

The amendments to Chapter 12 require that certain administrative regulations be established.

Pursuant to section 2.12.100(B), the City Manager approved on an emergency basis two regulations relating to noxious growths, undesirable trees, and fees in order to have the regulations in effect while the proposed regulations in question went through the comment and notification process required by the City Code.

The emergency regulations went into effect on October 28, 2020, and will remain in effect for a period of sixty days.

Additional time is required to complete the regulation process set forth in section 2.12.050.

Several provisions of Chapter 12 that expressly reference administrative regulations will be without effect if the effective period of the emergency regulations is not extended beyond sixty (60) days.

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Suzanne Ludlow, AICP CPM
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(she/her/hers)

12/9/2020

The City of Takoma Park Mail - Extension of interim tree regulations



Resolution Extending Emergency Tree Regulations 12.9.20 (1).docx

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